

DETAILED ACTION

1. This Office action is in response to the Amendment filed on October 7, 2010.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark J. Thronson (Reg. No. 33,082) on November 4, 2010.

3. The application has been amended as follows:

IN THE CLAIMS:

- (a) **Claim 1, line 9:** "the second region" has been changed to --a second region--.
- (b) **Claim 1, line 10:** "a second region" has been changed to --the second region--.
- (c) **Claim 6, line 9:** "the second region" has been changed to --a second region--.
- (d) **Claim 6, line 10:** "a second region" has been changed to --the second region--.
- (e) **Claim 8** has been canceled.
- (f) **Claim 9** has been canceled.
- (g) **Claim 11** has been canceled.
- (h) **Claim 14** has been canceled.

Art Unit: 2627

Reasons for Allowance

4. Claims 1, 2, 4, 6, 7, and 31-33 are allowed over the prior art of record.

5. The following is an examiner's statement of reasons for allowance:

(a) **In regard to claim 6**, the prior art of record alone or in combination fails to teach or suggest:

a method of recording information using a laser on a multilayer optical disk having a plurality of recording layers, the plurality of recording layers including a first recording layer and a second recording layer, the second recording layer being a recording layer adjacent the first recording layer, the first recording layer having a first test writing area to be used for calibration of write power and the second recording layer having a second test writing area to be used for calibration of write power, wherein the first test writing area is completely superposed with the second test writing area when considered in the direction in which the laser is arranged to irradiate, the method comprising:

if a second region of the second test writing area is unrecorded, recording data in the second region of the second test writing area, thereby converting the second region of the second test writing area into a recorded state;

once the second region of the second test writing area has been converted into a recorded state, performing test writing in a first region of the first test writing area; and

wherein, before performing the test writing in the first region of the first test writing area, the method comprises clearing the first region of the first test writing area; and

wherein the clearing of the first region of the first test writing area comprises performing an erasure operation to make the first region unrecorded; and

wherein the method further includes the step of recording dummy data in the first recording layer, and wherein the step of recording dummy data in the first recording layer occurs subsequent to the step of performing the test writing in the first region of the first test writing area.

(b) **In regard to claim 31**, the prior art of record alone or in combination fails to teach or suggest:

a method of recording information using a laser on a multilayer optical disk having a plurality of recording layers including a first recording layer and a second recording layer adjacent to the first recording layer, the first recording layer and the second recording layer including a first test writing area and a

Art Unit: 2627

second test writing area to be used for calibration of write power, respectively, the first test writing area is completely superposed with the second test writing area when considered in a direction in which the laser is arranged to irradiate, the method comprising:

converting the second test writing area into a recorded state by recording dummy data in the second test writing area if the second test writing area is unrecorded;

converting the first test writing area into a recorded state by recording dummy data in the first test writing area if the first test writing area is unrecorded;

once the first and second test writing areas are converted into the recorded states, clearing one of the first and second test writing areas corresponding to one of the first and second recording layers specified for recording user data;

performing test writing in the cleared one of the first and second test writing areas; and

recording dummy data in the cleared one of the first and second test writing areas based on a result of the test writing.

(c) **Claim 1** has similar allowable features as claim 6.

(d) **Claims 2, 4, 7, 32, and 33** are dependent upon allowed base claims.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark L. Fischer whose telephone number is (571) 270-3549.

The examiner can normally be reached on Monday-Friday from 9:00AM to 6:30PM EST.

Art Unit: 2627

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HOA T NGUYEN/
Supervisory Patent Examiner, Art Unit 2627

/Mark L Fischer/
Examiner, Art Unit 2627